

5846. Adulteration and misbranding of oats. U. S. * * * v. 15 Carloads and Other Carloads of Oats. Consent decree of condemnation. Product ordered released on bond. (F. & D. No. 8382. I. S. Nos. 1823-p, 1824-p, 1825-p, 1829-p, 1830-p, 1831-p, 1833-p, 1834-p, 1836-p, 2817-p, 2818-p, 2819-p, 2820-p, 2822-p, 2834-p, 8206-p, 8207-p, 8208-p, 8209-p, 8210-p, 8211-p, 8212-p, 8213-p, 8214-p, 8215-p, 8216-p, 8217-p, 8722-p, 8723-p, 8724-p. S. No. E-871.)

During the month of August, 1917, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 15 carloads and other carloads of oats, remaining unloaded at Newport News, Va., alleging that the article had been shipped by the Milwaukee Elevator Co., from Minneapolis, Minn., and from H. Y. Tower Station, Indiana, during the months of July and August, and transported from the States of Minnesota and Indiana into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article in each shipment was alleged in substance in the libels for the reason that it had been mixed and packed with certain foreign substances, to wit, wild oats, weed seeds, and screenings, so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oats.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, oats.

On August 18, 1917, an order was entered consolidating the various libels filed into one cause, and the said Milwaukee Elevator Co., claimant, having consented to a decree, judgment of condemnation was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$15,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*